

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23591 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- DHAKA District- East Champaran

Vishwanath Paswan, son of Late Ramlal Paswan, resident of
village-Naya Tola Dhaka, Police Station-Dhaka, District-East
Champaran

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs. Rashmi Jha, Adv.

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 23-04-2018 Heard Smt. Rashmi Jha, learned counsel for the petitioner
and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Dhaka
P.S. Case No.31 of 2018 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act, 2016, has prayed
for grant of bail, in the event of his arrest or surrender.

By way of referring to the F.I.R., it was submitted by
learned counsel for the petitioner that nothing was recovered
from the conscious possession of the petitioner nor anything
was recovered from the house of the petitioner. In the case,
recovery was shown to be affected from an area, where sand
was kept and in the said sand, Nepali country made liquor was
concealed. It was submitted that the petitioner has no concern
with the said sand, where recovery of Nepali country made



liquor was shown. Besides this, learned counsel for the petitioner has also drawn my attention to the statement made in paragraph-3 of the petition to show that the petitioner is having clean antecedent.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

Considering the fact that nothing was recovered either from the conscious possession of the petitioner or from the house of the petitioner as well as clean antecedent of the petitioner, let the petitioner, namely, Vishwanath Paswan, in the event of his arrest or surrender within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Motihari, East Champaran in connection with Dhaka P.S. Case No.31 of 2018, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

nawalkrs/-

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